



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 10**

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OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

June 20, 2014

Mr. J. Steve Saxton  
Federal Transit Administration  
915 Second Avenue, Suite 3142  
Seattle, Washington 98174

Mr. Kent Hale  
Sound Transit, Union Station  
401 South Jackson Street  
Seattle, Washington 98104

Re: Link Light Rail Operations and Maintenance Satellite Facility Draft Environmental Impact Statement, EPA Region 10 Project Number 12-0046-FTA

Dear Messrs. Saxton and Hale:

The U.S. Environmental Protection Agency has reviewed the Link Light Rail Operations and Maintenance Satellite Facility Draft Environmental Impact Statement. We are submitting comments in accordance with our responsibilities pursuant to the National Environmental Policy Act and Section 309 of the Clean Air Act. We appreciate the opportunity to participate in the project environmental review.

Federal Transit Administration and Sound Transit propose to construct and operate an Operations and Management Satellite Facility (OMSF) to store, maintain, and dispatch light rail vehicles for daily service, and to conduct administrative and operational functions. Four alternative build sites are analyzed in the Draft EIS – one in Lynnwood and three in Bellevue, Washington. The Lynnwood site, which is near the terminus of the proposed Lynnwood Link Extension project and adjacent to the Scriber Creek wetland complex, would also require and include the BNSF Storage Tracks site located in Bellevue. The three Bellevue alternatives include the BNSF Alternative; the BNSF Modified Alternative, which partially overlaps the BNSF Alternative; and the SR 520 Alternative, which is adjacent to SR 520 and in close proximity to the BNSF alternatives.

Because the DEIS does not identify a preferred alternative, we are rating the proposed alternatives separately. Based on the information presented in the Draft EIS, we are rating the Lynnwood Alternative as EC-2 (Environmental Concerns, Insufficient Information), and the three Bellevue Alternatives as LO (Lack of Objections). An explanation of these ratings is included for your information.

Our concerns regarding the Lynnwood Alternative center upon the potential impacts to the Scriber Creek wetlands, a high value Category 2 salmon-bearing stream and wetland complex, which is also

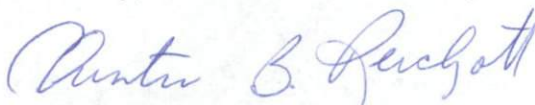
identified as a Priority Habitat by Washington Department of Fish and Wildlife and as critical habitat by the City of Lynnwood (p. 3.9-5). It is contiguous with and functionally connected to Scriber Creek Park, a community park much valued and protected by the local citizenry.

The comments and concerns we identified in our letter regarding the Lynnwood Link Extension DEIS would also apply here. In particular, the OMSF Draft EIS does not include a 404(b)(1) analysis that would identify the Least Environmentally Damaging Practicable Alternative (LEDPA) pursuant to Clean Water Act Section 404. However, the DEIS does provide sufficient information to indicate that the Lynnwood Alternative would be unlikely to qualify as the LEDPA. The loss of 1.6 to 1.8 acres on the western side of Wetland N1-1, which would reduce the wetland size by 8%, and the placement of elevated guideways across the center of the wetland, including across the area of Scriber Creek's diffuse flow area, would permanently diminish, fragment and degrade the functions and values of the wetland and priority habitat. These impacts are fully avoidable by selecting one of the Bellevue alternatives.

The BNSF Alternative appears to be the Environmentally Preferred Alternative. However, with potential design modifications, such as, maintaining Goff Creek in the daylight and, ideally, removing fish passage barriers, the SR 520 Alternative could also serve as the Environmentally Preferred Alternative. Our additional detailed comments regarding the proposed alternatives are enclosed for your consideration.

We commend FTA and Sound Transit for the quality and candor of the Draft EIS, and thank you for the opportunity to review it. If you have questions or would like to discuss these comments, please contact me at (206) 553-1601 or by electronic mail at [Reichgott.christine@epa.gov](mailto:Reichgott.christine@epa.gov), or you may contact Elaine Somers of my staff at (206) 553-2966 or by electronic mail at [somers.elaine@epa.gov](mailto:somers.elaine@epa.gov).

Sincerely,



Christine B. Reichgott, Manager  
Environmental Review and Sediment Management Unit

Enclosures

**U.S. Environmental Protection Agency  
Detailed Comments on  
Link Light Rail OMSF Draft EIS**

**Preferred Alternative Selection**

We have no objections to selection of any of the Bellevue alternatives. The BNSF Alternative appears to be the environmentally preferred alternative, given the level of information in the DEIS. If design modifications are feasible that would maintain Goff Creek as a daylight stream and restore fish passage, the SR 520 Alternative could also be considered as an environmentally preferred alternative.

*Recommendation:* Consider design modifications that would prevent the piping of Goff Creek, and seek opportunity to restore fish passage in Goff Creek and/or other project area streams.

**Least Environmentally Damaging Practicable Alternative**

We appreciate that there is a good range of alternatives presented for the OMSF, which affords the opportunity to avoid impacts to sensitive aquatic resources. The Draft EIS provides information that is usable for a 404(b)(1) analysis, such as the number of acres of wetlands, streams, and buffers that would be affected, but does not attempt to provide a complete 404(b)(1) analysis for the purposes of permitting under Section 404 of the Clean Water Act. The 404(b)(1) analysis would disclose information for the public and decision makers that is vital to selecting a preferred alternative.

*Recommendation:* Include a 404(b)(1) analysis in the Final EIS.

Information in the Draft EIS indicating that the Lynnwood Alternative is not likely to serve as the LEDPA includes, but is not necessarily limited to the following:

- The Lynnwood Alternative would result in 1.6 to 1.8 acres of permanent impact on the western side of Wetland N1-1, reducing the wetland size by 8%, and would place elevated guideways across the center of the wetland including across the area of Scriber Creeks' diffuse flow into the wetland. (p. 3.9-20)
- Impacts would affect the wetland's ability to perform water quality and hydrologic functions, and would reduce the amount of habitat provided for wildlife. (p. 3.9-20)
- All design options of the Lynnwood Alternative would affect the areas that appear to be previous mitigation, which could complicate a determination of mitigation for impacts. The Native Growth Protection Area (NGPA) recording certificate for the southernmost portion of the wetland's two western arms prohibits future development and requires that any boundary adjustments to the NGPA be approved by the City of Lynnwood through a formal platting process. (p. 3.9-20)
- Approximately 1.6 acres of wetland buffer would also be affected, which would reduce forested and shrub wetland habitats, as well as potentially surface flow paths and the ability to store floodwaters associated with the Scriber Creek floodplain. (p. 3.9-20)
- Wetlands and wetland buffers under the elevated guideway would be affected through the conversion of forest-dominated wetlands to shrub-dominated wetlands and buffers under and along each side of the guideways to prevent trees and branches from interfering with operation of the light rail. (p. 3.9-20)
- Construction impacts would clear tree and shrub wetland and wetland buffer vegetation that would require decades to recover mature forested or scrub shrub functions.

- We believe the cumulative impacts to the Scriber Creek subbasin from the Lynnwood Alternative would outweigh the cumulative effects of any Bellevue alternative (p. 3.9-26). These cumulative impacts include:
  - 6 acres of vegetation and wildlife habitat impact,
  - 1.6 to 1.8 acres of wetland impact,
  - 0.1 acre aquatic impact,
  - Lynnwood Link Extension impacts,
  - impacts to connectivity of the Scriber Creek habitat corridor,
  - the greatest increase in impervious surface among alternatives, and
  - placement of fill in a 100 year floodplain
- Avoiding the Lynnwood Alternative would be consistent with Sound Transit Sustainability Initiative policy to avoid impacts on environmentally sensitive resources in accord with the mitigation sequencing of NEPA, Clean Water Act, and local Critical Area Ordinances.
- The Lynnwood Alternative would require offsite staging areas or construction easements not required by the BNSF alternatives.
- The Lynnwood Alternative requires more operations and maintenance staff than Bellevue alternatives due to off-site storage tracks in Bellevue duplicating some functions.
- Construction emissions of criteria pollutants and greenhouse gases from the Lynnwood Alternative would be slightly higher than the Bellevue alternatives. (p. 3.7-6)
- The Lynnwood Alternative study area has the largest presence of low-income populations and a small pocket with high minority population. This Alternative would displace and require relocation of the Washington Department of Social and Health Services office. (p. 3.5-13)

**U.S. Environmental Protection Agency Rating System for  
Draft Environmental Impact Statements  
Definitions and Follow-Up Action\***

**Environmental Impact of the Action**

**LO – Lack of Objections**

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC – Environmental Concerns**

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO – Environmental Objections**

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU – Environmentally Unsatisfactory**

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

**Adequacy of the Impact Statement**

**Category 1 – Adequate**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 – Insufficient Information**

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 – Inadequate**

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.